

Union Calendar No. 261

108TH CONGRESS
2D SESSION

H. R. 27

[Report No. 108–458]

To amend the United States Housing Act of 1937 to exempt small public housing agencies from the requirement of preparing an annual public housing agency plan.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 2003

Mr. BEREUTER introduced the following bill; which was referred to the Committee on Financial Services

APRIL 2, 2004

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To amend the United States Housing Act of 1937 to exempt small public housing agencies from the requirement of preparing an annual public housing agency plan.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Small Public Housing
3 Authority Act”.

4 **SEC. 2. PUBLIC HOUSING AGENCY PLANS FOR SMALL PUB-**
5 **LIC HOUSING AGENCIES.**

6 Section 5A of the United States Housing Act of 1937
7 (42 U.S.C. 1437e–1) is amended—

8 (1) in subsection (b), by adding at the end the
9 following new paragraph:

10 “(3) EXEMPTION FOR SMALL PHAS.—

11 “(A) IN GENERAL.—Notwithstanding para-
12 graph (1) or any other provision of this Act—

13 “(i) the requirement under paragraph
14 (1) shall not apply to any small public
15 housing agency; and

16 “(ii) any reference in this section or
17 any other provision of law to a ‘public
18 housing agency’ shall not be considered to
19 refer to any small public housing agency,
20 to the extent such reference applies to the
21 requirement to submit a public housing
22 agency plan under subsection (b).

23 “(B) DEFINITION.—For purposes of this
24 paragraph, the term ‘small public housing agen-
25 cy’ means a public housing agency that—

1 “(i) administers 100 or less public
2 housing dwelling units; and

3 “(ii) is not designated pursuant to
4 section 6(j)(2) as a troubled public housing
5 agency.”; and

6 (2) in subsection (k)—

7 (A) in subparagraph (A), by inserting
8 “and” after the semicolon;

9 (B) by striking subparagraph (B); and

10 (C) by redesignating subparagraphs (A)
11 and (C) as paragraphs (1) and (2), respectively,
12 and by realigning such paragraphs (as so redes-
13 ignated) so as to be indented 2 ems from the
14 left margin.

15 **SECTION 1. SHORT TITLE.**

16 *This Act may be cited as the “Small Public Housing*
17 *Authority Act”.*

18 **SEC. 2. PUBLIC HOUSING AGENCY PLANS FOR CERTAIN**

19 **SMALL PUBLIC HOUSING AGENCIES.**

20 *Section 5A(b) of the United States Housing Act of*
21 *1937 (42 U.S.C. 1437c-1(b)) is amended by adding at the*
22 *end the following new paragraph:*

23 “(3) *EXEMPTION OF CERTAIN SMALL PHAS FROM*
24 *FILING REQUIREMENT.—*

1 “(A) *IN GENERAL.*—Notwithstanding para-
 2 graph (1) or any other provision of this Act—

3 “(i) *the requirement under paragraph*
 4 *(1) shall not apply to any qualified small*
 5 *public housing agency; and*

6 “(ii) *any reference in this section or*
 7 *any other provision of law to a ‘public*
 8 *housing agency’ shall not be considered to*
 9 *refer to any qualified small public housing*
 10 *agency, to the extent such reference applies*
 11 *to the requirement to submit a public hous-*
 12 *ing agency plan under this subsection.*

13 “(B) *DEFINITION.*—For purposes of this
 14 paragraph, the term ‘qualified small public hous-
 15 ing agency’ means a public housing agency that
 16 meets all of the following requirements:

17 “(i) *The sum of (I) the number of pub-*
 18 *lic housing dwelling units administered by*
 19 *the agency, and (II) the number of vouchers*
 20 *under section 8(o) of the United States*
 21 *Housing Act of 1937 (42 U.S.C. 1437f(o))*
 22 *administered by the agency, is 100 or fewer.*

23 “(ii) *The agency is not designated pur-*
 24 *suant to section 6(j)(2) as a troubled public*
 25 *housing agency.*

1 “(iii) *The agency provides assurances*
2 *satisfactory to the Secretary that notwith-*
3 *standing the inapplicability of the require-*
4 *ments under this section relating to resident*
5 *advisory boards and public hearings and*
6 *notice, residents of public housing adminis-*
7 *tered by the agency will have an adequate*
8 *and comparable opportunity for participa-*
9 *tion and notice regarding establishment of*
10 *the goals, objectives, and policies of the pub-*
11 *lic housing agency.”.*

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